

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

vs.

OSCAR GLIEBERMAN, M.D.

CONSENT ORDER

Pursuant to Section 5-37-9(b) of the General Laws of the State of Rhode Island, 1956, as Amended, St. Joseph's Hospital notified the Board of Medical Licensure and Discipline [hereinafter referred to as "Board"] that Oscar Griebman, M.D. [hereinafter referred to as "Respondent"] had been placed on immediate temporary suspension from the Medical Staff of St. Joseph's Hospital. In accordance with Section 5-37-5.2 of the General Laws of the State of Rhode Island, 1956, as Amended, a complainant was initiated by the Board, charging Respondent with violation of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as Amended. An investigation was conducted by Investigating Committee I, so called, of the Board.

After consideration by Investigating Committee I of the Board, the following constitutes the findings of fact with respect to the professional performances of the Respondent:

1. Respondent is a physician licensed under and by virtue of the laws of the State of Rhode Island and was a staff physician in a local hospital.
2. An eighty-six year old male (hereinafter referred to as "Patient A") was admitted to a hospital on or about April 12, 1989 under the care of the Respondent for the diagnosis and treatment of heart disease, chronic lung disease, pneumonia, and theophylline toxicity.
3. While Patient A was under Respondent's care, he failed to visit Patient A on April 17, 1989, April 18, 1989,

April 19,

1989 and April 20, 1989.

4. Respondent's failure to visit Patient A under these circumstances to monitor and manage his condition during his hospital stay constitutes unprofessional conduct.

5. A ninety seven year old female (hereinafter referred to as "Patient B") was admitted to a hospital on or about December 13, 1988 under the care of the Respondent for the diagnosis and treatment of pulmonary infection, renal insufficiency and congestive heart failure.

6. On or about January 11, 1989 Patient B was discharged from the hospital.

7. Respondent failed to visit Patient B on December 25, 1988, January 2, 1989, January 5, 1989, January 7, 1989, January 8, 1989, January 9, 1989 and January 11, 1989.

8. Respondent's failure to visit Patient B under these circumstances to monitor and manage her condition during her hospital stay constitutes unprofessional conduct.

9. An eighty seven year old female (hereinafter referred to as "Patient C") was admitted to a hospital on or about February 8, 1989 under the care of the Respondent for the diagnosis and treatment of bilateral pneumonia.

10. On or about March 8, 1989 Patient C expired.

11. Respondent failed to visit Patient C on February 12, 1989, February 16, 1989, February 18, 1989, February 20, 1989, February 23, 1989, February 25, 1989, February 27, 1989, March 5, 1989 and March 6, 1989.

12. Respondent's failure to visit Patient C under these circumstances to monitor and manage her condition during her hospital stay constitutes unprofessional conduct.

13. A ninety two year old male (hereinafter referred to as "Patient D") was admitted to a hospital on or about April 11, 1989 under the care of the Respondent for the diagnosis and treatment of chronic obstructive pulmonary disease, probable

pneumonia and urinary bleeding.

14. On or about May 22, 1989 Patient D was discharged from the hospital.

15. Respondent failed to visit Patient D on April 12, 1989, April 15, 1989, April 16, 1989, April 19, 1989, April 20, 1989, April 22, 1989 and April 23, 1989.

16. Respondent's failure to visit Patient D under these circumstances to monitor and manage his condition during his hospital stay constitutes unprofessional conduct.

17. A seventy two year old female (hereinafter referred to as "Patient E") was admitted to a hospital on or about November 22, 1988 under the care of Respondent for the diagnosis and treatment of cancer of the bowel and possible intestinal obstruction.

18. On or about December 5, 1988, Patient E was discharged from the hospital.

19. Respondent failed to visit Patient E on November 23, 1988, November 25, 1988, November 26, 1988, November 28, 1988, November 30, 1988, December 2, 1988 and December 3, 1988.

20. Respondent's failure to visit Patient E under these circumstances to monitor and manage her condition during her hospital stay constitutes unprofessional conduct.

The parties agree as follows:

1. Respondent is a physician licensed and doing business under and by virtue of the laws of the State of Rhode Island, allopathic license number 5910. Respondent's mailing address is 100 Highland Avenue, Suite 307, Providence, Rhode Island.
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
3. Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by

the Board.

4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Board;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Board;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;

- i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the Hearing Committee presiding over this matter should it later be brought to an administrative proceeding;
- j) Any objection to the fact that potential bias against Respondent may occur as a result of the presentation of this Consent Order to the Board.

5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board. It shall be published as the Board, in the exercise of its discretion, shall determine.
6. Acceptance of this Consent Order constitutes an admission of the facts set forth herein.

7. Failure to comply with this Consent Order, once signed and approved, shall subject the Respondent to further disciplinary action.

8. Respondent voluntarily accepts the Board's sanction of a reprimand, as provided in Section 5-37-6:3 of the General Laws of the State of Rhode Island.

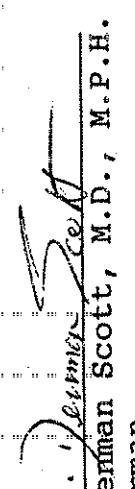
9. Respondent shall notify the Board, in writing, in the event that he joins or becomes affiliated with a hospital staff.

10. Respondent shall notify the Board, in writing, of any change in his address.

Signed this 27 day of Sept, 1990


Oscar Gieberman, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on 10/16/90, 1990.


H. Derman Scott, M.D., M.P.H.

Chairman
Board of Medical Licensure and
Discipline